

ORIGINAL

FILED
COURT OF CLAIMS
OF OHIO

IN THE COURT OF CLAIMS OF OHIO

2014 NOV -4 PM 3: 12

TRANSAMERICA BUILDING
CO., INC.

Plaintiff,

v.

OHIO SCHOOL FACILITIES
COMMISSION

Defendant.

Case No. 2013-00349

Referee Samuel Wampler

MOTION FOR EXTENSION OF TIME

Now comes the Defendant which moves for an extension of time (in addition to its previously filed Motion for Continuance of the Trial date in this matter).

A conference call was held with the Referee and the parties to discuss Defendant's Motion in Limine to prevent the Plaintiff from introducing testimony from an expert report that was filed nine months late.

At that conference the Referee gave every indication that a continuance of the trial date would be entertained once this expert report was disclosed and Defendant could see the nature and extend of it. There was no discussion of a response date from the Defendant to this late disclosed expert report.

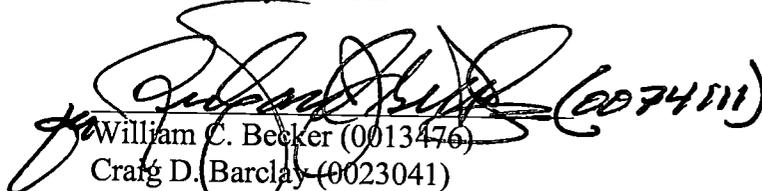
When the entry came out following the conference, Defendant was ordered to provide a response to Plaintiff's expert report three weeks later: by November 17, 2014.

Therefore, if the Court does not grant Defendant's Motion to Continue the trial date, Defendant moves for leave to respond to Plaintiff's late filed expert report at trial with testimony from its expert.

ON COMPUTER

Respectfully submitted,

MICHAEL DEWINE
Ohio Attorney General

 (0013476)

William C. Becker (0013476)

Craig D. Barclay (0023041)

Jerry Kasai (0019905)

Assistant Attorneys General

150 East Gay Street, 18th Floor

Columbus, OH 43215-3130

Phone: (614) 466-7447

Fax: (614) 466-9185

william.becker@ohioattorneygeneral.gov

craig.barclay@ohioattorneygeneral.gov

jerry.kasai@ohioattorneygeneral.gov

COUNSEL FOR DEFENDANT

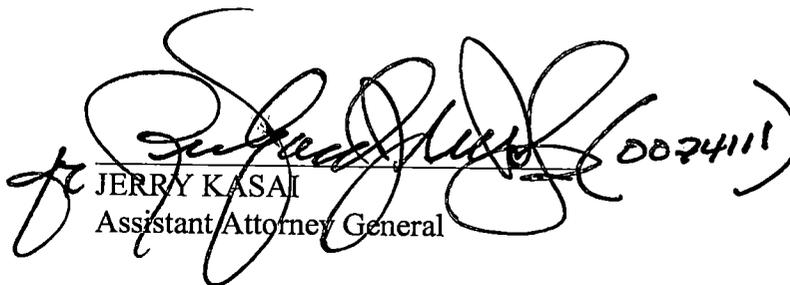
OHIO SCHOOL FACILITIES COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Defendant's Motion for Extension was sent by electronic mail, this 4th day of November, 2014 to:

Donald W. Gregory
Michael J. Madigan
65 East State Street, Suite 1800
Columbus, Ohio 43215
dgregory@keglerbrown.com
mmadigan@keglerbrown.com

Counsel for Plaintiff Transamerica

 (0019905)

JERRY KASAI

Assistant Attorney General